SAN FRANCISCO COMMISION ON THE ENVIRONMENT

BYLAWS

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COMMISSION ON THE ENVIRONMENT
BYLAWS

Article I - Identification

Section 1: Name

The Commission on the Environment.

Section 2: Office

The Commission on the Environment shall be located at 11 Grove Street, San Francisco, California, 94102, or such other address where the Commission may be located from time to time. The telephone number for the Commission is (415) 355-3709.

Section 3: Compliance with Applicable Laws

The Commission shall comply with all applicable laws, including but not limited to the Ralph M. Brown Act (Cal. Government Code Section 54950 *et seq.*), the Political Reform Act of 1974 (Cal. Government Code Section 81000 *et seq.*), the San Francisco Charter, the San Francisco Sunshine Ordinance (San Francisco Administrative Code Section 67.1 *et seq.*), the Compensated Advocacy and Officeholder Accounts initiative (San Francisco Administrative Code App. 11); and the Improper Government Activities Ordinance, San Francisco Administrative Code Section 16.400 *et seq.*

Article II - Mission Statement

Section 1: The Commission on the Environment

The mission of the Commission on the Environment is to improve, enhance, and preserve the environment; and to promote San Francisco's long-term environmental sustainability as laid out in Section 4.118 of the City Charter.

Article III - Commission on the Environment

Section 1: Number

The Commission on the Environment shall consist of seven members appointed by the Mayor, pursuant to Section 4.118 of the City Charter.

Section 2: Term of Appointment

The term of each commissioner shall be four years, unless removed by the Mayor, at his or her discretion.

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Section 3: Compensation

Commissioners shall serve without compensation.

Section 4: Oath of Public Office

Acceptance of the Oath of Public Office constitutes the Commission's sworn responsibility to the public trust. Members are required to serve well and to faithfully discharge their duties and responsibilities diligently and in a manner consistent with the laws of the City and County of San Francisco, and all applicable state and federal laws.

Section 5: Function

The Commission on the Environment shall be responsible for the development and success of an overall sustainability strategy for the City of San Francisco. It shall have responsibility for the development of environmental policies, strategies, practices and programs for the Department of the Environment in San Francisco. Consistent with Section 4.118 of the City Charter, the Commission shall advise other city agencies and work with them to reduce negative impacts on the environment in areas of their jurisdiction and activities and augment their efforts to communicate environmental issues to the general public.

Section 6: Duties and Responsibilities

A. The Commission on the Environment shall:

(1) Establish policies and directives for the Department of the Environment;

(2) Nominate qualified candidates for the position of Director of the Department of the Environment for appointment by the Mayor and evaluate the performance of the Director at least once a year;

(3) Conduct public education and outreach to the community on environmental issues;

(4) Have the authority to review and make recommendations on any policy proposed for adoption by any City agency regarding conformity with the long-term plans for environmental sustainability, except for those regarding building and land use;

(5) Have the authority to investigate and make recommendations to all City agencies related to operations and functions, such as solid waste management, recycling, energy conservation, natural resource conservation, environmental inspections, toxics, urban forestry and natural resources, habitat restoration and hazardous materials; and

(6) Review and approve the Department of the Environment's budget, budget modifications or fund transfers.

B. The Department of the Environment shall:

(1) Produce and regularly update an assessment of San Francisco's environmental condition;

(2) Produce and regularly update plans for the long-term environmental sustainability of San Francisco; and

(3) Manage the environmental programs, duties and functions assigned to it pursuant to Section 4.132 of the City Charter, or by ordinance.

Section 7: Excused Absences

If a Commissioner provides prior notification of absence from Commission and Committee meetings to the President of the Commission, then such absence is considered an excused absence. If no prior notice is received by the President or Secretary of the Commission, then the minutes shall note that the absence is unexcused.

Section 8: Absence from the State

Any member of the Commission who plans to be absent from the State of California for an extended period shall notify the President of the Commission.

Article IV - Officers

Section 1: Officers

The officers of the Commission are a President and Vice-President. The President and Vice-President shall serve at the pleasure of the Commission.

Section 2: Term of Office

The term of each office shall be one year.

Section 3: Nomination and Election of Officers

A. Elections for officers shall be conducted at the regular meeting of the Commission in October of each year. At the regular Commission meeting held in September of each year, any Commissioner interested in running for office shall state publicly his or her interest and willingness to run for a specific office. Such Commissioners, and any other Commissioners nominated at the October meeting, shall be candidates for office.

B. If the office of the President is vacated before the expiration of a term, the Vice President shall serve as President until the next regular meeting. The Commission shall conduct an election for President at the next regular meeting to fill the vacancy. If the Vice President is elected as President, there shall be an election for a new Vice President at that meeting. If the

office of Vice President is vacated before the expiration of a term, it shall remain vacant until the next regular meeting, at which time an election shall be held. Any Commissioners nominated at a meeting at which a special election is held shall be candidates for office.

Section 4: General Duties and Responsibilities of the President

The President shall preside at all meetings of the Commission. The President, working with the Commission Secretary and Director of the Department of the Environment, shall oversee the preparation and distribution of the agenda for all regular Commission meetings. The President shall be accountable to the Commission as a whole in setting policy and shall also perform such other duties as may be assigned by the Commission. The President (and/or his/her designee) shall serve as the liaison to the media and the other departments, agencies and commissions of the City and County of San Francisco, as necessary.

Section 5: General Duties and Responsibilities of the Vice-President

The Vice-President shall perform the duties and responsibilities that may be delegated by the President. In the absence or disability of the President, the Vice-President shall perform the duties as described above, in Section 4 of this article.

Article V - Commission Staff

Section 1: Director

The Director is appointed by the Mayor, from a list of candidates proposed for his or her consideration by the Commission. The Director serves as the chief executive and administrator of the Department of the Environment and shall have the duties and powers which are set forth in the Charter and ordinances of the City and County of San Francisco, including those duties set forth above, in Section 6(B) of Article III. The Director shall attend all meetings of the Commission. The Director shall report on all matters regarding the Department of the Environment which are of concern to the Commission.

Section 2: Commission Secretary

The staff of the Department of the Environment shall include a Commission Secretary, who is hired by the Commission. The Commission Secretary shall attend all meetings of the Commission. Under the supervision of the President, which supervision may be delegated to the Director, the Commission Secretary is responsible for the proper recording and distribution of all Commission actions, correspondence, and agendas, and ensuring that the Commission meetings are properly publicly noticed and held at locations which are accessible to persons with disabilities. The Commission Secretary shall also perform such other duties as may be assigned by the Commission and Director, including but not limited to: conducting research, assisting committee chairs and officers, making recommendations on assigned projects, answering questions from the public about Commission activities and procedures, helping Department staff prepare for presentations before the Commission, and representing the Commission and Department at public gatherings, as appropriate.

Section 3: Legal Advisor

The City Attorney, or his or her designee, shall be the legal advisor to the Commission. If the City Attorney determines in writing that he or she cannot, consistent with the Rules of Professional Conduct, provide advice sought by the Commission, the City Attorney may recommend that the Commission retain outside counsel.

Article VI – Meetings of the Commission

Section 1: Quorum

At all meetings of the full Commission, the presence of a majority of the members shall constitute a quorum for all purposes. The affirmative vote of a majority of the members shall be required for the approval of any matter, regardless of the number of vacancies on the Commission or number of members present at the meeting. Based on a membership of seven, four members constitute a quorum. Likewise, four affirmative votes are required for the approval of any matter.

Section 2: Voting and Abstention

Each member present at a Commission meeting shall vote "yes" or "no" when a question is put, unless excused from voting by a motion adopted by a majority of the members present, or unless the member has a conflict of interest which legally precludes participation in the vote. Whether a Commissioner has a conflict of interest which precludes participation in a vote is determined on a case by case basis and, to the extent possible, in consultation with a legal advisor from the City Attorney's office.

Section 3: Public Participation

The Commission shall hold meetings open to the public and encourage the participation of interested persons. Each person wishing to speak on an item before the Commission shall be permitted to be heard once for up to three minutes. Time limits shall be applied uniformly to members of the public wishing to testify. The total time for public comments may be limited by the President in a manner consistent with the San Francisco Sunshine Ordinance. Each agenda for regular meetings shall provide an opportunity for members of the public to directly address the Commission on items of interest to the public that are within the Commission's jurisdiction. The Public Comment opportunity shall appear on the agenda after "New Business"; except that, at the President's discretion, the Public Comment can be heard earlier in the agenda.

Speakers at Commission meetings are requested, but not required, to identify themselves and fill out cards placed near the public microphone. The information is used to help prepare the minutes of the meeting.

Speakers must address the Commission from the podium. The Commission will not tolerate disruptive or inappropriate conduct. The President or presiding officer shall order removed from the meeting room any person who engages in such conduct or interrupts the orderly course of the meeting.

Section 4: Audio Recordation

Each meeting of the Commission, including any closed session, shall be audio recorded.

Section 5: Meeting Minutes

Minutes shall be taken at every regular and special Commission, shall be available to the public as required by law, and shall be approved by the majority vote of the Commission.

If provided by the public commenter, written summaries of public comments that are 150 words or less will be appended to the minutes. The minutes will clearly state that such comments are public comments and do not represent the comments of the Commission, the Department, the City and County of San Francisco or any employee or agency thereof.

Section 6: Regular Meetings

Beginning November 2004 the regular Commission meetings shall be held bi-monthly on the fourth Tuesday of January, March, May, July, September and November at 5:00 p.m., except in the case of a City-recognized holiday, when the meeting shall be held on the first following Tuesday. Meetings shall be held at City Hall, 1 Dr. Carlton B. Goodlett, Jr. Place, Room 416, in the City and County of San Francisco. This information shall be posted on the Commission's website.

Section 7: Special Meetings

The President of the Commission may call special meetings to address specific matters.

Section 8: Closed Sessions

The Commission is authorized to hold closed (non-public) sessions at regular and special meetings for purposes of confidential discussions, such as the discussion of job performance, or dismissal of employees, or pending litigation. Upon consultation with a legal advisor from the City Attorney's office, and the determination that a closed session is both authorized and appropriate under the circumstances, the President of the Commission may call for a closed session. Appropriate notice shall be given of all closed sessions.

Section 9: Agenda Preparation

The agenda for meetings is prepared through the joint effort of the President, the Director of the Department of the Environment, and the Commission Secretary. The Commission Secretary shall work with the President, committee Chairs, Director and the Commission's legal advisor to develop the agenda. The agenda shall consist of items requested by the President, the Director or the Commission. The agenda shall contain form language required by law.

The agenda shall refer to explanatory public documents that have been provided to the Commissioners prior to the preparation of the agenda, and shall state that the documents are

available for public inspection at the Department's office during normal office hours. Explanatory documents of one page or less shall be posted with the agenda.

Section 10: Mailing and Posting of Agendas for Regular and Special Meetings of the Commission

Notices and agendas of all regular and special Commission meetings shall be posted at the San Francisco Main Library Government Information Center, the meeting site, the Commission's website, the Department's office and mailed to each Commissioner and any person who files a written request for such notice with the Commission. Agendas for regular meetings shall be mailed and posted at least 72 hours before the meeting.

Section 11: Special Meeting at Alternative Location

In the case of a special meeting held at a location other than the regular Commission meeting place, notice (but not the agenda) shall be given in the manner stated in section 10 above, 15 days before the meeting. Agendas for a special meeting at an alternative location shall be given in the manner stated in section 10 above.

Section 12: Cancellation, Continuing or Rescheduling Meetings

Notice of a cancellation, continuance or rescheduling will be provided to the public as soon as reasonably possible. The notice shall be posted at the San Francisco Main Library Government information Center, at the meeting site and on the Commission's website. If time permits, notice of the meeting change shall be provided to any person who files a written request for such notice with the Commission.

Article VII - Committees

Section 1: Membership of Committees

Committee members shall be appointed by the President of the Commission for one-year terms. Each committee shall have no more than three members.

Section 2: Committee Chairs

It is the policy of the Commission on the Environment to appoint individual Commissioners to perform specific tasks or functions related to matters which are brought before the Commission for action. The President may appoint individual Commissioners to serve as Committee Chair for a specified period of time.

Section 3: Committee Meetings

Committees shall meet at regularly scheduled times and places, as established by resolution or motion of the Commission. Meeting times shall be posted on the Commission's website. Agendas of committee meetings shall be noticed in accordance with Article VI sections

(9) and (10). Committee meetings will be generally conducted in the same manner as regular Commission meetings pursuant to Article VI sections (2) (3), (7), (8) , (11), and (12).

Section 4: Committee Quorum

A majority of the members of a committee shall constitute a quorum. The affirmative vote of the majority of the members shall be required for the approval of any matter, regardless of the number of vacancies on the committee or number of members present at the meeting.

Section 5: Minutes

Minutes for committee meetings will reflect the time the meeting was called to order and adjourned, the names of members attending the meeting, the roll call vote on each action item considered at the meeting, and any other items necessary for preserving a record of the meeting. Minutes shall be approved by a majority vote of the committee.

Section 6: Standing Committees

The Commission shall have two standing committees: (1) Operations, and (2) Policy. Each committee shall have three members.

Section 7: Operations Committee

The Operations Committee shall meet on the third Wednesday of January, April, July, and October at 4:00 p.m. at 11 Grove Street in the City and County of San Francisco. The Operations Committee shall have general responsibility for the budget, financial planning and operations of the Department of the Environment. This Committee shall work with the Director and make recommendations to the Commission for the financial well-being and effective administration of the Department's programs and activities, including the management of environmental programs, duties, and functions which have been assigned to the Department pursuant to Section 4.118 of the City Charter or by ordinance. This Committee shall also oversee the public education and outreach to the community on environmental issues and address issues regarding the environmental well-being of the City.

Section 8: Policy Committee

The Policy Committee shall meet on the second Monday of each month at 5:00 p.m. with the exception of October when the Policy Committee will meet on the fourth Monday at 5:00 p.m. Meetings will be held in Room 421, City Hall, One Dr. Carlton B. Goodlett Jr. Place in the City and County of San Francisco. This information shall be posted on the Department of the Environment's website. The Policy Committee shall have general responsibility for and oversee the long-term planning and policy development activities of the Department of the Environment, including the Department's assessment of San Francisco's environmental conditions, the development and update of plans for the long-term environmental sustainability of San Francisco, and the review and development of recommendations on any policy proposed for adoption by any City agency regarding conformity with the long-term plans for environmental

sustainability. Specifically, the Policy Committee will focus on developing a plan for San Francisco to achieve the goal of zero waste to landfill by year 2020, and will explore resource conservation opportunities in the areas of water and toxins reduction. Furthermore, the Policy Committee shall work with the Operations Committee and the Director of the Department of the Environment, to develop recommendations regarding restructuring of environmental programs and activities among the City agencies and departments.

Section 9: Other Committees

The Commission and/or the President, at his or her discretion, may establish other committees or task forces on an ad-hoc basis to perform tasks or functions as necessary, or to address issues outside the purview of the standing committees.

Article VIII – Requests for Notice and Agendas

A request from a member of the media or public to receive notices, agendas, or agenda packets for Commission or committee meetings must be in writing and specify what the person would like to receive and whether notice by email is preferred. Such requests will be valid until the following January. In January of each year, the Commission will ask each person on the list to re-affirm their desire to stay on the list for another year through a notice on the Commission's January agenda.

Article IX - Parliamentary Procedures

At the discretion of the President of the Commission or the committee Chair, and except where the Charter or other rules provide to the contrary, meetings shall be governed by Robert's Rules of Order.

Article X - Codes of Ethics

In accepting the Oath of Office, Commissioners shall maintain the highest standards of professional and personal conduct. They shall support the mission, goals and objectives of the San Francisco's Commission on the Environment; instill in the public a sense of confidence about the Commissions' conduct and intentions; uphold all laws and regulations; refrain from using their official positions to secure special advantage or benefit for themselves or others.

In order to set the highest standards of conduct, and in order to assure public confidence in the Commission's operations, the Commission on the Environment commits itself to:

* Encouraging and promoting integrity in government by education and example;

* Being accountable for its rules of procedure and decisions, and promoting accountability of all members of the Commission and Department staff;

* Treating all Department staff, members of the public, and colleagues with courtesy, respect, objectivity, and fairness;

* Conducting all Commission business in a timely manner and in public meetings, with full disclosure of policies, procedures, and decision-making processes, except for those matters authorized under the Brown Act and the San Francisco Sunshine Ordinance to be considered in closed session; and

* Reviewing its actions, recommendations, and procedures periodically to determine whether the Commission has adhered to its Code of Ethics and mission in all respects.

Article XI - Amendment of Bylaws

These bylaws shall be reviewed as necessary and may be amended at any meeting of the Commission by a majority vote, provided such proposed amendments are circulated in writing to all Commissioners and the intent to revise the bylaws is noticed to the public at least ten (10) days prior to such meeting.